



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

VIA EMAIL - READ RECEIPT REQUESTED

December 4, 2020

Steve Cipullo, Terminal Manager
Sprague Energy
728 Southern Artery
Quincy, MA 02169

Re: Public Notice
NPDES Application No. MA0028037
(for) Sprague Twin Rivers Terminal

Dear Mr. Cipullo:

In accordance with Section 402 of the Federal Clean Water Act (CWA), as amended, the Environmental Protection Agency (EPA), Region 1, intends to issue a National Pollutant Discharge Elimination System (NPDES) permit to your facility.

The effluent limitations and conditions in the attached Draft Permit have been drafted pursuant to, and assure compliance with the CWA, including EPA-approved State Surface Water Quality Standards at 314 CMR 4.00. Massachusetts Department of Environmental Protection (MassDEP) cooperated with EPA in the development of the Draft NPDES Permit. Also attached is the Fact Sheet, which describes the basis for the permit conditions. You are encouraged to closely review all terms and conditions contained in the Draft Permit.

If you have any questions or concerns regarding this Draft Permit or if you believe the Draft Permit does not accurately describe your discharge or contain a reasonable compliance schedule (where appropriate), you should notify EPA via the email address below, no later than the last day of the public comment period.

The law requires public notice to be given of the preparation of a draft permit to allow opportunity for public comments and, if necessary, a public hearing. Public notice of the preparation for all draft permits must be given by notification to the applicant and all interested parties, as specified in 40 Code of Federal Regulations (CFR) § 124.10(c)(1). Additionally, in accordance with 40 CFR § 124.10(c)(2), the Public Notice, Draft Permit and Fact Sheet are also provided on EPA Region 1's publicly available website at <https://www.epa.gov/npdes-permits/massachusetts-draft-individual-npdes-permits>.

In order to preserve the right to contest provisions in a final permit, all persons, including the applicant, who believe any condition of the draft is inappropriate must raise all reasonably ascertainable issues and submit all reasonable available arguments supporting their position by the close of the public comment period. *See* 40 CFR §124.13.

The period for public comment is on the attached Fact Sheet. Following the close of the public comment period, your Final Permit will be issued provided no new substantial questions are raised. If new questions develop during the comment period, it may be necessary to draft a new permit, revise the Fact Sheet, and/or reopen the public comment period.

You should be aware that, since you discharge in the coastal zone, under the provisions of the Coastal Zone Management Act, 16 U.S.C. §1451 et seq., and its implementing regulations, **EPA cannot issue an NPDES permit for your facility until you submit a certification that your activities will be consistent with the Massachusetts Coastal Zone Management (MCZM) policies and the state CZM office concurs with your certification.** *See* 15 CFR § 930 et seq. and 40 CFR § 122.49(d). You should therefore provide EPA and the state CZM office with a consistency letter that includes the following statement: “The proposed activity complies with the policies of the Massachusetts approved coastal management program and will be conducted in a manner consistent with such policies.” In your consistency letter, you should also briefly describe the proposed activity and how it is consistent with the CZM program policies. Please forward a copy of your permit application and the enclosed Draft Permit and Fact Sheet to MCZM in order for them to conduct a consistency review and issue a concurrence. Further information about this process may be obtained from Robert L. Boeri, Project Review Coordinator, Massachusetts Office of Coastal Zone Management, 251 Causeway Street, Suite 800, Boston, MA 02114-2136; (617) 626-1050 (phone) and (617) 626-1240 (fax).

If you have any questions or would like to discuss any of the conditions contained in this Draft Permit, do not hesitate to contact Samantha Tracy of my staff at (617) 918-1621 or tracy.samantha@epa.gov

Sincerely,

Damien F. Houlihan, Chief
Industrial Permits Section
Water Division

Attachments: Draft Permit, Fact Sheet, Public Notice

cc: Catherine Vakalopoulos, MassDEP
Robert Boeri, Massachusetts CZM